

BEFORE THE TENNESSEE REGULATORY AUTHORITY

NASHVILLE, TENNESSEE

May 29, 2003

IN RE:

BELLSOUTH TELECOMMUNICATIONS, INC.  
TARIFF TO INTRODUCE SWA PRICING  
FLEXIBILITY – Tariff Number 2002256

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DOCKET NO.  
02-01073

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ORDER GRANTING SECOND JOINT MOTION FOR CONTINUANCE

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This matter is before the Pre-Hearing Officer on the *Second Joint Motion of BellSouth and AT&T for Continuance ("Joint Motion")* filed by AT&T Communications of the South Central States, Inc. ("AT&T") and BellSouth Telecommunications, Inc. ("BellSouth").

On May 19, 2003, BellSouth and AT&T filed the *Joint Motion* presently at issue. BellSouth and AT&T assert that they have reached a settlement in principle of all issues raised in the *CLEC Coalition Petition to Suspend Tariff and to Convene a Contested Case Proceeding*.<sup>1</sup> The parties state that final negotiations to document the settlement are nearing completion and they require not less than thirty additional days in which to finalize the matter. The *Joint Motion* states: "To the extent that such a delay requires further suspension of the tariff, the parties have no objection to such a suspension." Under the present schedule, the Tariff would not be placed into effect before August 12, 2003. Neither Birch Telecom, Inc. nor the Consumer Advocate and Protection Division of the Office of the Attorney General ("CAPD") has filed objections to the *Joint Motion*.

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<sup>1</sup> The *Petition* was jointly filed by AT&T and Birch Telecom, Inc.

In light of BellSouth's temporary waiver of its right to implement the Tariff under Tenn. Code Ann. § 65-5-203(b) and to facilitate the settlement of the issues raised in this docket, the Procedural Schedule shall be revised as follows:

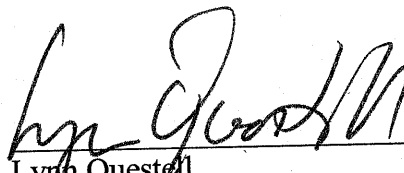
**Procedural Schedule**

- Discovery Requests shall be filed with the Authority and served on all parties no later than **Monday, June 30, 2003**. Discovery Requests shall conform to Tenn. Comp. R. & Reg. 1220-1-2-.11(5).
- Responses to Discovery Requests shall be filed with the Authority and served on all parties no later than **Friday, July 11, 2003**.
- Pre-filed Direct Testimony shall be filed with the Authority and served on all parties no later than **Tuesday, July 22, 2003**.
- Pre-filed Rebuttal Testimony shall be filed with the Authority and served on all parties no later than **Friday, August 1, 2003**.
- Hearing Dates will be announced later.

All filings shall be served by hand-delivery, facsimile or e-mail on the date of filing.

**IT IS THEREFORE ORDERED THAT:**

The *Substitute Joint Motion of BellSouth and AT&T for Continuance* jointly filed by BellSouth Telecommunications, Inc., AT&T Communications of the South Central States, Inc. and Birch Telecom, Inc. is hereby granted as set forth above.

  
Lynn Questell  
Pre-Hearing Officer